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The Law School

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Editorial

THE LAW SCHOOL

1960-1961

The Law School opened its 1960-1961 session with an enrollment of 219 students. The distribution is: First Year 89, Second Year 65, Third Year 58, Unclassified 7. The total number of registrants is slightly under last year's figure of 229, the principal decrease in number being noted in the First Year group in which there were 89 as compared with 120 last year — a reduction of almost 26%. This year's larger graduating class, which numbers 58 as compared with 40 last year — an increase of 45% — will make it possible to meet more of the placement requests from various sources received this year. In this latter connection attention is directed to the 1961 Placement Brochure published by the Student Bar Association of the Law School. This placement folder was prepared as the means of presenting to the members of the bar and to other prospective employers of law graduates essential information concerning this year's graduating group. This publication has been a considerable aid to the faculty and to the Dean's office and has been well received by the profession. The Law School is happy to cooperate on placement matters by giving further information and by arranging necessary interviews. Experience indicates that inquiries far exceed the number of men to be available during the course of the year. We advise that interviews by prospective employers be scheduled as early as possible in order to reach a wider group from which selection may be made. The Law School invites the interest, co-operation, and assistance of the bar on these matters.

Of considerable interest is the fact that this year's entering class will be the first group required to take the bar examination under the revised rules for admission to the bar promulgated by the Supreme Court in May and July of 1959. The re-establishment of the bar examination for graduates of the state's four law schools is an important and desirable development. Almost continuously since Pearl Harbor Louisiana has had a diploma privilege which was first adopted as the means of meeting the problems of students entering the military service. This was followed by a progressive liberalization of the privilege until it

finally embraced admission without examination for all graduates of the Louisiana law schools. The action of the Supreme Court in re-establishing the bar examination as requested by the Louisiana State Bar Association is in keeping with policies long advocated by the American Bar Association and is in accord with objectives which the law schools of Louisiana have persistently recommended. The bar examination will have its decided impact upon legal education in Louisiana and it is believed that out of this requirement will come a further strengthening of the future lawyer's general preparation through the compulsion of the comprehensive review the examination will exact at the end of law school study. These benefits should begin to accrue in 1963 when this year's entering class shall become the initial group taking the examination.

During the current academic year the faculty of the Law School has decided upon the establishment of a new system of numerical grading in substitution for the previous system of letter grades. This new system will go into effect in the fall of 1961. It is believed that the proposed plan will permit of a more accurate evaluation of student achievement and will avert some of the difficulties incident to the quality credit value being entirely dependent upon the letter grades. Academic standards will be keyed to numerical averages which will more truly reflect a composite of the sum total of the student's work as reflected in the examination results.

The 1960-1961 law faculty consists of eleven full-time members and four part-time instructors in addition to the Dean. The Law School is able to report that there have been no major personnel changes in full-time teaching staff during the current academic year.

The following items will be of interest to friends of the Law School:

Mr. Robert L. Roland, LL.B. '49, formerly General Counsel and Director of Revenue of the State of Louisiana, now engaged in private law practice in Baton Rouge, has been appointed special part-time lecturer for the fall semester 1960-1961. He is offering the course in State and Local Taxation.

Mr. Carlos E. Lazarus, Research Coordinator and Revisor for the Louisiana State Law Institute, has been reappointed as part-time assistant in Legal Bibliography for the Fall Semester. In

addition he has been appointed to a part-time lectureship for the Spring term to offer the course in Private Corporations.

The Law School has continued to draw on the devoted service of Mr. Alvin B. Rubin, LL.B. '42, who has lectured for many years at the Law School on a part-time basis. This year Mr. Rubin will again offer his important course in Tax Law and Estate Planning during the second semester.

Professor Donald H. Wollett, whose appointment to the full-time faculty was referred to in these pages last year, has inaugurated a new seminar as a part of the Law School's regular offerings. His Seminar on Current Problems in Constitutional Law is designed as a workshop laying emphasis upon issues of constitutional law raised by contemporary litigation in the Supreme Court of the United States. Such questions, together with matters related to court administration, are extensively examined. Students are required to make reports for group consideration and discussion. This seminar is a part of the Law School's current policy of expanding the opportunities for intensive individual student work on selected problems which can be explored at greater depth than that made possible in normal courses offered to larger student groups. Professor Wollett's other major teaching field is Labor Law, in which he has written extensively during the current year. He has been designated and is now serving as Secretary to the Section on Labor Law of the American Bar Association.

Professor Wex S. Malone will offer a Seminar in the Law of Torts for senior students in the second semester of this year. The seminar will afford the opportunity for advanced students to prepare a research paper on some particular aspect of Louisiana motor vehicle liability. In addition to the group discussion of the student papers, the seminar in its first part will include a survey of cases and materials on automobile liability law, damage problems in personal injury, the role of insurance in tort law, and the trend toward supplying some basis of liability other than fault in automobile injury cases. This offering further reflects the Law School's policy of providing broader opportunities for seminar work.

Professor Henry George McMahon's distinguished work as coordinator and reporter on the new Code of Civil Procedure received fitting recognition at the 1960 annual meeting of the Lou-

isiana State Law Institute. The testimonial presented to him on that occasion was reprinted in the June issue of the Review. The legislative adoption of the new Code and its going into effect on January 1, 1961, mark the culmination of long years of devoted and brilliant work by Dean McMahon in advancing the cause of procedural reform in Louisiana. To assist lawyers in becoming familiar with details of the new Code, the Committee on Continuing Legal Education of the Louisiana State Bar Association has conducted a series of two-day institutes at Baton Rouge, Monroe, New Orleans, Shreveport, and Lafayette. Mr. McMahon has been a prominent participant in these programs as a lecturer collaborating with the other reporters. In addition to his extensive lecturing and writing on procedural subjects related to the Code, Professor McMahon has assumed editorial supervision of a nine-volume annotated edition of the new Code of Civil Procedure now in process of publication by West Publishing Company. With Mr. Alvin B. Rubin of the Baton Rouge bar, and part-time lecturer in the Law School, Dean McMahon is also preparing a volume of annotated forms to accompany the Code which will be eventually published as Volume 10 of LSA — Code of Civil Procedure.

During the past year members of the law faculty have continued to be busily engaged in various activities of a professional nature in addition to normal teaching assignments. Detailed listing of research and publications will be made in the Law School's annual report. The sum total of these faculty accomplishments grow in importance with the passage of years. In addition to matters previously mentioned a partial catalogue of faculty activities should include: Professor Bennett's current work as coordinator for the Louisiana State Law Institute in connection with the new Code of Criminal Procedure now in course of preparation; Professor Dainow's activities with various groups working in the field of international and comparative law, including his attendance at the 1960 meeting of the International Law Association in Hamburg, Germany, and his lectures before the International Faculty of Comparative Law in Luxembourg in August 1960; Professor Dakin's studies in the history and development of rate-making principles in connection with the work of utility regulatory agencies; Professor McMahon's research and writing in procedure and judicial administration above referred to in greater detail; Professor Malone's current research preparatory to extensive writing on the subject of wrongful

death; Professor Pascal's studies in the law of Trusts in connection with the Law Institute's consideration of this important subject; Professor Pugh's work in the further development and broadening of the scope and usefulness of the Louisiana Law Review; Professor Smith's continued leadership in the direction of the work of the Louisiana State Law Institute, and his writing, research and revision of course materials in Conventional Obligations, Sales and Leases; Professor Wollett's research in Labor Law and his collaboration in the publication of *Labor Relations and the Law* (2d edition, 1960); and Associate Professor Yiannopoulos' completion of his comparative study on the Brussels Convention and the Conflict of Laws on the basis of which he received the degree of Doctor of Jurisprudence from the University of Cologne in July of 1960. This listing is indicative of the variety and breadth of interests reflected in the day to day work of the Law School's greatest asset — its faculty.

The Law School is continuing its program of inviting a number of guest lecturers to appear before the student body. Professor Joseph Dainow is currently serving as the Chairman of the Faculty Committee in charge of the lecture series. Among recent visitors may be mentioned: Professor F. Hodge O'Neal of Duke University delivered a series of five lectures in the spring of the 1959-60 academic year as part of the course in Private Corporations on the subject of the "Close Corporation"; Professor William H. Pedrick of Northwestern University Law School was the featured speaker at the 1960 Law Day Dinner held last May; in October of 1960, Mr. William J. Isaacson of the New York bar, formerly General Counsel, New York State Department of Labor, and Professor Sylvester Petro of the New York University School of Law, conducted a symposium on "Collective Bargaining in America — Where Are We Going?"; Chief Justice Walter V. Schaefer of the Supreme Court of Illinois delivered a lecture on "Reflections on the Judicial Process"; Professor F. Roger Crane of Kings College, University of London, England, lectured in December of 1960 on matrimonial property law problems before the senior class in Successions, Donations and Community Property; in November 1960, Judge Chris T. Barnette of the Juvenile Court for the Parish of Caddo lectured on the juvenile court system and with Associate Justice Joe W. Sanders of the Louisiana Supreme Court and Judge Leo Blessing of the Juvenile Court for the Parish of Orleans participated in an afternoon panel discussion devoted to problems of the juvenile courts; in

December of 1960, Dean Edward H. Levi of the University of Chicago Law School delivered a lecture on "The Role of Precedent in the Judicial Process"; and Professor Ch. N. Fragistas of the University of Thessaloniki, Greece, visiting lecturer at New York University Law School, participated in the Conflict of Laws course and in the Constitutional Law Seminar during a week of residence at the Law School during December of 1960.

Scheduled to lecture during the spring semester of 1960-1961 are the following: Professor Harry Kalven, Jr., of the University of Chicago; Professor Judson F. Falknor of New York University School of Law; Mr. Cecil Morgan, Government Relations Counsellor, Standard Oil Company (N.J.), New York City; and Professor Frederick K. Beutel of the University of Nebraska and former dean of the L.S.U. Law School.

The Edward Douglass White Lecturer for 1961 is Frederick L. Schuman, Woodrow Wilson Professor of Government of Williams College. These lectures, under the joint sponsorship of the Law School, the Graduate School, and the Department of Government, will be devoted this year to the subject of "The USSR: Retrospect and Prospect." The gravity of the challenge to the ideals of the Western World as reflected in the Soviet system makes the 1961 series especially important to students of law and government.

The Eighth Mineral Law Institute, conducted by the Law School in cooperation with the General Extension Division of the University, will be held on February 3 and 4, 1961, at the Law School. An interesting program has been arranged covering a wide variety of topics of importance to lawyers working in the law of oil and gas. An outstanding panel of speakers will participate and, as in past years, the proceedings will be published to insure lasting benefits to the profession from the work of this Institute.

Finals in the Robert Lee Tullis Moot Court Competition were held at the Law School in October of 1960. Arguments were conducted before members of the Supreme Court of Louisiana who came to the Law School especially for this occasion. The case argument was focused upon an important problem in the field of labor law. Winners of the competition were Frank P. Simon-eaux of Napoleonville and Charles S. Ware of Lake Charles. The runner-up team was composed of Timothy J. McNamara of New

Orleans and M. L. Laird of Baton Rouge. Faculty advisor in charge of this year's competition was Professor Melvin G. Dakin.

In recognition of her long distinguished service and her impending retirement, which will take place in August of 1961, the Moot Court Board by special resolution dedicated this year's Finals to Professor Harriet S. Daggett as a token of the high esteem in which she is held by students, faculty, and members of the legal profession. An eloquent tribute to Professor Daggett was delivered on this occasion by Chief Justice John B. Fournet, who traced the many valuable contributions she has made to Louisiana law, especially in the fields of civil law, community property, and mineral law. As the Chief Justice stated: "No one could accomplish more in a lifetime, nor find the time and opportunity to do a greater service to a loved profession." Further ceremonies incident to the retirement of Professor Daggett will be announced at a later date under arrangements which will make it possible for her colleagues, the law alumni, and her many friends in the profession throughout the state to join in additional expressions of appreciation to Mrs. Daggett for a lifetime rich in its service to the legal profession.

The annual meeting of the Law School Alumni Association was held in November of 1960. Elected as officers were: Thomas W. Leigh, LL.B. '24 as President, C. Arthur Provost, LL.B. '21 as Vice-President, A. K. Goff, Jr., LL.B. '31 as Secretary, and Frank S. Craig, Jr., LL.B. '40 as Treasurer. The Association has assisted financially in the preparation of the placement brochure and is currently planning to again sponsor awards to be made at the annual Law Day Dinner honoring the Law Review, Moot Court Board, and Student Bar Association.

The Law School is pleased to announce that the Superior Oil Company has increased significantly the amount of the scholarship awards made annually to deserving law students in need of such financial aid. Six scholarships having a value of \$1,000 each are now in effect. Two such awards are made each year. Funds for scholarships constitute a continuing need of the Law School and it is hoped that the example of this generous corporate donor may stimulate the establishment of additional awards of this nature by others.

The Law Library continues to grow in strength and usefulness. As of June 30, 1960, the volume count stood at 107,076

including some 13,000 volumes of transcripts which constitute a part of the Library holdings. Further additions to the collection will be made this year from a special supplementary allocation of approximately \$5,000.00, which has increased the budget for continuations and book purchases to \$30,000.00. The Law Library has been designated by legislative act as a depository of one of the copies of the record and briefs of all cases decided by the re-organized Louisiana Courts of Appeal. Plans are under-way for the execution of this responsibility as a service to the courts and to the profession. The material will be so housed and indexed as to be efficiently available for legal research and study by students, faculty, and the members of the bar generally. The Law School's capable librarian, Miss Kate Wallach, is serving this year as President of the Louisiana Library Association. She and the members of the staff continue to be active in a variety of important professional activities. At the request of the Law Librarian, a special survey visitation will be conducted by Mrs. Marian Gallagher, Law Librarian of the University of Washington. Mrs. Gallagher will consult with the library staff and will render a special report embodying recommendations in keeping with plans for the further improvement of the library's expanded services.

On February 11 and 12, 1960, the Law School was inspected for the Council on Legal Education of the American Bar Association as part of the Council's regular program of visitation and re-inspection of accredited schools. The Law School was privileged to have on the inspection team Dean W. Page Keeton, then President-elect of the Association of American Law Schools, and Professor Arthur S. Miller of Emory University. Their detailed evaluation report covered all major aspects of the Law School's program and activities. The report concluded that the LSU Law School is in full compliance with all American Bar Association standards both qualitatively and quantitatively and enumerated a number of points for consideration in the further development and improvement of the school.

The administration of the University, under the leadership of President Middleton, is this year inaugurating in each department an extensive series of program-review meetings consisting of a self-analytical study of educational and research objectives projected for an ensuing five-year period. This program will afford a more direct opportunity for comprehensive survey and

consideration of needed re-adjustments and will provide a means for appraising needs for personnel and additional support. The projected study will supplement consideration of a number of internal Law School matters receiving the current attention of the law faculty. The Law School welcomes this added opportunity for discussion and planning of ways and means to meet the increased demands made of legal education at Louisiana State University.

Throughout the nation American legal education has made vast strides during the past decade, but informed leaders of the profession continue to question whether these developments have kept pace with ever-growing needs. The LSU Law School must ever remain keenly sensitive to rapidly developing needs which must be met in both teaching and research if we are to keep abreast in performing the exacting role expected of a strong university law school in our kind of society. If the Law School is to grow in usefulness its resources must be increased. While the primary objective of our School is to train students for the practice of law, our graduates will have public responsibilities immeasurably broader in the judiciary, in the legislature, in business and in the service of government. These considerations make it imperative that the system of legal education at LSU should embrace a breadth of approach encompassing not only the high development of professional skills, but also founded upon a keen awareness of the indispensable function law performs in the social order. As law is the veritable cement binding civilization together, the responsibility of the lawyer to society requires that legal education in both its cultural and practical aspects be constantly appraised and improved. To such broad objectives the Law School remains dedicated. It is hoped and expected that the program-review studies now underway will provide further aid toward the achievement of these important ends.

Paul M. Hebert
Dean

January 30, 1961